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7 AMERICAN EXPRESS TRAVEL RELATED  
8 SERVICES, INC., AMERICAN EXPRESS  
9 CENTURION BANK and AMERICAN EXPRESS  
BANK, FSB

10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

13 DAVID J. LEE and DANIEL R. ) **Case No. CV-07-4765 (CRB)**  
14 LLOYD, individually and on behalf of )  
15 all others similarly situated, )  
16 Plaintiffs, )  
17 vs. )  
18 AMERICAN EXPRESS TRAVEL )  
19 RELATED SERVICES, INC., a New )  
20 York corporation, AMERICAN )  
21 EXPRESS CENTURION BANK, a )  
22 Utah corporation, AMERICAN )  
23 EXPRESS BANK, FSB, a Utah )  
24 corporation, and DOES 1 through 100, )  
25 inclusive, )  
Defendants. )  
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) **CERTIFICATION OF  
INTERESTED ENTITIES OR  
PERSONS**

) Local Rule 3-16

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2 **TO THE COURT AND TO ALL PARTIES:**

3 Pursuant to Civil Local Rule 3-16, the undersigned, counsel of record for  
4 American Express Travel Related Services, Inc., American Express Centurion Bank,  
5 and American Express Bank, FSB, certify that the following listed entities (i) have a  
6 financial interest in the subject matter in controversy or in a party to the proceeding,  
7 or (ii) have a non-financial interest in that subject matter or in a party that could be  
8 substantially affected by the outcome of this proceeding:

- 9 1. American Express Company.
- 10 2. American Express Travel Related Services Company, Inc. The direct  
11 parent company of American Express Travel Related Services  
12 Company, Inc. is American Express Company.
- 13 3. American Express Centurion Bank. The direct parent company of  
14 American Express Centurion Bank is American Express Travel Related  
15 Services Company, Inc. and the ultimate parent company is American  
16 Express Company.
- 17 4. American Express Bank, FSB.
- 18 5. Berkshire Hathaway Inc. is more than 10% owner of American Express  
19 Company.

20 These representations are made to enable the Court to evaluate possible  
21 disqualification or recusal.

1 Dated: October 25, 2007

Respectfully submitted,

2 STROOCK & STROOCK & LAVAN LLP  
3 JULIA B. STRICKLAND  
4 STEPHEN J. NEWMAN

5 By: s/Stephen J. Newman  
6 Stephen J. Newman

7 Attorneys for Defendants  
8 AMERICAN EXPRESS TRAVEL  
9 RELATED SERVICES, INC.,  
10 AMERICAN EXPRESS  
11 CENTURION BANK, and  
12 AMERICAN EXPRESS BANK, FSB

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